

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**


|                     |   |                                  |
|---------------------|---|----------------------------------|
| JOHN HANCOX, JR.,   | ) |                                  |
|                     | ) |                                  |
| Plaintiff,          | ) |                                  |
|                     | ) |                                  |
| v.                  | ) | Civil Action No. 3:22-CV-110-HEH |
|                     | ) |                                  |
| RICHARD D. HOLCOMB, | ) |                                  |
|                     | ) |                                  |
| Defendant.          | ) |                                  |

**MEMORANDUM OPINION**  
**(Dismissing Action Without Prejudice and Denying Motion as Moot)**

THIS MATTER is before the Court on its own initiative. John Hancox, Jr. (“Plaintiff”), attempted to file suit *pro se* against Richard D. Holcomb (“Defendant”) on February 11, 2022. (ECF No. 1.) However, Plaintiff failed to pay the Court’s \$402.00 filing fee or apply to proceed without paying fees or costs. Consequently, on May 5, 2022, the Court ordered Plaintiff to either pay the \$402.00 filing fee or file a completed Application to Proceed in District Court Without Prepaying Fees or Costs within fourteen days. (ECF No. 4.) The Court warned Plaintiff that failure to do so may result in dismissal of this action without prejudice. (*Id.*)

More than fourteen days have elapsed, and Plaintiff has not paid the filing fee, applied to proceed without paying fees or costs, or communicated with the Court in any other way. Plaintiff’s disregard of the Court’s directives warrants dismissal of the action. Thus, this case will be dismissed without prejudice. Because the Court must dismiss Plaintiff’s action, his Motion to Appoint Counsel (ECF No. 2) will be denied as moot.

An appropriate Order shall accompany this Memorandum Opinion.



/s/

Henry E. Hudson  
Senior United States District Judge

Date: June 6, 2022  
Richmond, VA